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3.1 Purpose. This chapter provides the standards for detention facilities.

3.2 Objective. The objective of the detention program is to provide for the safe, secure, and humane confinement of offenders who are charged with or convicted of criminal offenses.

3.3 Responsibility. Placing individuals into confinement makes those administering the facility responsible for the care and custody of those so confined.

3.4 Physical Plant Standards. All facilities used for detention or holding program will comply with professional building and safety codes established and prescribed by standards published in the Detention and Holding Programs Handbooks which are summarized below:

A. Administrative and Staff Areas. Adequate space must be provided for facility and operational staff to carry out their responsibilities safely and effectively.

B. Environmental Conditions. Standards for lighting, air quality, temperature, and noise levels are designed and maintained to preserve the health and well-being of inmates and staff to promote order and security within the facility.

C. Housing Inmates. Inmate and staff safety and well-being will be the basis for all decisions on institutional living and inmate housing areas.

D. Program and Service Areas. Adequate space must be provided for the various program and service functions conducted within the facility. Requirements will be based upon the number of inmates.

E. Safety Codes. Compliance with fire and life safety codes are essential to ensure the health and well-being of all persons within the facility. A system will be established to continually review and evaluate the safety of all facility occupants.

F. Sanitation and Hygiene. The administrator will maintain documentation that the entity which provides the facility's water supply, storage, and distribution system meets the requirements of the *Safe Drinking Water Act*, (42 U.S.C. § 300-g-6). The administrator, in conjunction with the cognizant maintenance organization, will develop a written housekeeping plan for all areas of the physical plant.

G. Security. The physical plant must support an orderly and secure environment.

H. Size, Location, and Organization. Individual units within the facility will be the basis for determining ideal size. Flexibility, creativity, and innovation will be encouraged in meeting safety and quality of life standards for the inmates.

3.5 Facility Operations Standards.

A. Discipline. The administrator will develop rules of inmate conduct that specify acts prohibited within the facility and penalties that may be imposed for varying degrees of violations. The administrator will also develop a grievance procedure. The written rules and grievance procedure will be provided to all staff and inmates within the facility.

B. Emergency Procedures. The administrator will develop written procedures to be followed in emergency situations. These procedures will be:

- (1) Provided to all appropriate personnel;
- (2) Reviewed annually and updated as required; and
- (3) Practiced through the training of all facility personnel.

C. Security and Control. The facility will maintain a security system that provides immediate communication with the inmates living area and with all security perimeter entrances. Control center doors will be kept locked except when used for the supervised entry or exit of employees, inmates, or visitors, or in emergency situations.

D. Special Management Units. In facilities containing special management units, the following categories for supervision of inmates will be established:

- (1) Administrative segregation;
- (2) Disciplinary segregation;
- (3) Protective custody; and
- (4) Medical segregation.

3.6 Standards for Detention of Inmates.

A. Classification. Prior to placement in the institution, the administration will ensure that all inmates are screened and certify them as appropriate for admittance to the facility.

B. Reception and Orientation. The facility will have clearly defined written procedures governing admission. All new inmates will receive written or oral information regarding:

- (1) The rules of conduct;
- (2) Potential disciplinary actions that may be taken for violations;
- (3) Programs and services that are available;
- (4) Procedures for accessing health care services; and
- (5) Inmates' rights and privileges.

C. Rights and Privileges. All inmates will have the following rights and privileges unless there are substantial documented reasons for withholding some or all of the rights and privileges:

- (1) Access to the courts, legal counsel and legal materials;

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- (2) Equal access to programs and services and freedom from discrimination;
- (3) The right to receive visitors and to communicate or correspond with persons or organizations, subject only to the limitations necessary to maintain order and security;
- (4) The right to protection from both staff and other inmates from personal abuse, corporal punishment, personal injury, disease, property damage, and harassment;
- (5) The right to needed medical, dental, mental health, and substance abuse treatment and rehabilitation services as determined by the appropriate health authority; and
- (6) The right to practice religion, subject only to the limitations necessary to maintain institutional order and security.

D. Nutrition and Food Services. The facility administrator will:

- (1) Maintain records of the number of meals served;
 - (2) Document reviews of dietary allowances by a registered dietician;
 - (3) Make menus available for review by the inmates at least one week in advance;
- and
- (4) Provide special diets that are prescribed by appropriate medical or dental personnel.

E. Health Care. The facility administrator will develop a written health care plan that provides for the delivery of health care services under the control of the locally designated health authority. The plan will include medical, dental, mental health, and substance abuse treatment.

F. Social Services. The facility administrator will make available the professional services necessary to meet the identified needs of inmates. These services will be linked to existing community resources and may include:

- (1) Individual and family counseling;
- (2) Family planning and parent education; and
- (3) Programs dealing with drug or alcohol addiction.

G. Mail, Telephone, and Visiting. The facility administrator will develop written policies and procedures that govern the facility's mail, telephone, and visitors procedures for inmates, including mail inspection, public phone use, and routine and special visits.

H. Work and Industries. The facility administrator will develop written plans and procedures that outline the work assignments for inmates, including those who are disabled. Such assignments may include facility maintenance and community service projects. Although mandatory work requirements for pretrial and unsentenced inmates are limited to personal housekeeping, all inmates may volunteer for work assignments. The administrator will ensure that any work program complies with Federal and tribal regulations.

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I. Recreation and Activities. The facility administrator will allow inmates at least one hour a day of leisure time activities outside of the cell. In addition, inmates are to be provided access to other recreational activities that includes one hour of physical exercise outside of the cell.

J. Library. The facility administrator will have a written plan regarding access to library materials. The plan will notify the inmates of the location of the materials, and how to obtain and return library material.

3.7 Requirement for an Administrative Plan. Each detention facility will have a written plan which contains, at a minimum, the facility's procedures for implementing the established administrative requirements for budgeting, financial accountability, personnel, property management, records management, and training and staff development.